

COMMISSION ON JUDICIAL PERFORMANCE
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FOR RELEASE
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JUDICIAL PERFORMANCE COMMISSION ISSUES
PUBLIC ADMONISHMENT OF JUDGE JOAN COMPARET-CASSANI

The Commission on Judicial Performance has publicly admonished Judge Joan Comparet-Cassani of the Los Angeles County Superior Court.

The public admonishment concerns Judge Comparet-Cassani's revocation of the pro per status of a defendant charged with felony theft and drug possession. In April 2010, the defendant acting as his own counsel appeared before Judge Comparet-Cassani on a motion seeking other complaints against the police officer involved in the defendant's case and a motion for disclosure by the prosecution of information that was exculpatory and material to the defendant's case. The judge interrogated the defendant extensively about the preparation of the motion seeking other complaints against the police officer, quizzing him about the cases cited and what they stood for. She accused the defendant of getting legal assistance in connection with the preparation of the motions and accused him of lying when he denied having an attorney help him. On that basis, the judge revoked the defendant's pro per status and appointed counsel to represent him. The defendant filed a petition for writ of mandate with the Court of Appeal seeking to have the judge's order vacated and his pro per status restored. The appellate court issued a notice of intention to grant the writ on the ground that it was a clear abuse of the judge's discretion to revoke the defendant's pro per status based on the court's speculation that the defendant was lying about the independent preparation of a pretrial motion. In responding to the commission's investigation letter, the judge admitted that she violated the defendant's Sixth Amendment right to self-representation. The commission found that the judge's conduct constituted an abuse of authority, disregard for the defendant's constitutional right to self-representation and intentional disregard of the law. The commission also found that the judge's demeanor towards the defendant during the hearing, including her harsh manner, repeated statements that she did not believe him, grilling him on cases cited in his motion and statements that he was lying, was improper.

In deciding to issue a public admonishment, the commission viewed as aggravating factors two prior matters in which Judge Comparet-Cassani was disciplined for similar misconduct, namely abuse of authority with respect to a pro per criminal defendant and poor demeanor. In 2000, the judge was privately admonished, in part, for ordering a sheriff's deputy to activate an electronic stun belt being worn by a pro per criminal defendant. The judge ordered the belt activated during a hearing not to prevent courtroom violence, but because of the defendant's verbal interruptions. In 2006, the judge received an advisory letter for making

demeaning remarks in open court to a criminal defense attorney in the presence of the attorney's client (asking the attorney about where and when she went to law school, when she passed the bar, and whether she was "up to" handling the case).

The public admonishment is available on the Commission's Web site at www.cjp.ca.gov (under "Press Releases" and "Public Discipline – 1960 to Present") and at the Commission's office.

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The Commission is composed of three judges, two lawyers, and six public members. The Chairperson is the Hon. Judith D. McConnell of the Court of Appeal, Fourth Appellate District, in San Diego, California.

For further information about the Commission on Judicial Performance, see the commission's Web site.